

United States District Court  
for the  
Eastern District of ArkansasFEB 04 2013  
JAMES W. MCGORMACK CLERK  
By: *James W. McCormack*  
DEP CLERKRequest for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
(*Probation Form 49, Waiver of Hearing is Attached*)

Name of Offender: James Frederic Howard

Case Number: 4:05CR00305-019 SWW

Name of Sentencing Judicial Officer: Honorable Susan Webber Wright  
United States District Judge

Original Offense: Conspiracy to Distribute More Than 50 Grams of Methamphetamine

Date of Sentence: April 9, 2007

Original Sentence: 42 months Bureau of Prisons, 4 years supervised release, mandatory drug testing, substance abuse treatment, and \$100 special penalty assessment

August 23, 2012: Conditions modified to include residential re-entry center (RRC) placement for a period of three (3) months

Type of Supervision: Supervised release Date Supervision Commenced: December 18, 2009  
Date Supervision Expires: December 17, 2013

U.S. Probation Officer: Tabitha L. Mitchell Asst. U.S. Attorney: Jana Harris Defense Attorney: Lisa Peters

## PETITIONING THE COURT

To extend the term of supervision for \_\_\_\_\_ year(s), for a total term of \_\_\_\_\_ years.  
 To modify the conditions of supervision as follows:

**The defendant shall participate in Moral Reconation Therapy (MRT) under the guidance and supervision of the U.S. Probation Office.**

## CAUSE

On August 23, 2012, Mr. Howard's conditions were modified to include residential re-entry center (RRC) for a period of three months. On September 18, 2012, Mr. Howard entered the City of Faith. While at the City of Faith, he received 10 incident reports. On November 19, 2012, he was unsuccessfully discharged for violating program rules. Mr. Howard was observed driving a personal vehicle without authorization. Mr. Howard admitted to driving a personal vehicle but stated he used the vehicle to get to and from work. Mr. Howard admitted to having problems with following instructions and making good decisions. Moral Reconation Therapy will afford Mr. Howard the opportunity to learn how to make good decisions and to learn how to change his way of thinking.

Prob 12B

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Request for Modifying the  
Conditions or Terms of Supervision  
with Consent of the Offender

Name of Offender: James Frederic Howard

Case Number: 4:05CR00305-019 SWW

On January 14, 2013, Mr. Howard agreed to have his conditions modified. He executed the attached Prob 49, waiving his right to a hearing. Assistant Federal Public Defender Lisa Peters was contacted, and she was also in agreement with the modification.

Tabitha L. Mitchell

Tabitha L. Mitchell  
U.S. Probation Officer

Date: January 28, 2013

Jana Harris

Jana Harris  
Assistant U.S. Attorney

Date: 1-28-13

Approved:

Debra Stansel

Supervising U.S. Probation Officer

This form is to be filed with Criminal Docketing as a motion.

THE COURT ORDERS:

- No Action
- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- Other

Lisa Nelson Wright

Signature of Judicial Officer

2-4-13

Date

This form is to be filed with Criminal Docketing as an order and/or petition.

c: Assistant Federal Public Defender, Lisa Peters, 1401 West Capitol Avenue, Suite 490, Little Rock, AR 72201  
Assistant U.S. Attorney, Jana Harris, P.O. Box 1229, Little Rock, AR 72203

PROB 49

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF ARKANSAS

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

**The defendant shall participate in Moral Reconation Therapy (MRT) under the guidance and supervision of the U.S. Probation Office.**

Witness:

Dabitha Mitchell  
U.S. Probation Officer

Signed:

James Kamm  
Probationer or Supervised Releasee

X 1-14-13  
DATE